IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7705 of 2003

Between:

Dr. P. Johnson S/o P.J. Prabhakar Rao
R/o T.Q-17, A.P.S.W.R.J.C.,
Kurugunta, Ananthapur.

..... PETITIONER

AND

1 Sri Krishnadevaraya University, Rep. by its Registrar,
S.V. Puram, Ananthapur.
2 The Government of A.P., Rep. by its Prl. Secretary to Govt. Higher Education, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Mandamus declaring the Rule 8 of The A.P. Scheduled Castes (Rationalisation of Reservations) Rules, 2000 issued in G.O.Ms.No.47, Social Welfare (CV.1) 31st May, 2000 and the orders passed by the 2nd respondent in letter No.3325/U.E-1-2/2002-2, dated 29.4.2002 for issuing fresh notification for filling up S.C./S.T. vacancies for following the Rules issued in G.O.Ms.No.47, Social Welfare Department, dated 31.5.2000 and not proceeding further with the recruitment notification issued by the first respondent in NotificationNo.SKU/EE1(97) dated 20.3.1997 so far as the non-teaching posts are concerned in spite of filling up the posts of Teaching and Non-teaching following the same notification as highly arbitrary, illegal and violative of Art. 14, 16 and 21 of the Constitution of India, and consequently to direct the respondents to fill up the Non-teaching posts meant for S.Cs./S.Ts. in pursuance of the notification, dated 20.3.1997 and to consider the case of the petitioner and appoint him against the post of Asst. Director, Physical Education with all consequential benefits.

(Prayer amended as per C.O., dated 15.10.2003 in WPMP No.20094 of 2003 in

W.P.No.7705 of 2003)

Counsel for the Petitioner: MR.P.V.RAMANA

Counsel for the Respondent No.1: Mr.P.Sreeramulu Naidu and MR.M.RAMALINGESWARA REDDY

Counsel for the Respondent No.2: G.P. for Higher Education

The Court made the following :

ORAL ORDER:

The learned counsel for the petitioner has submitted that in view of the decision rendered by the Apex Court in ***E.V.Chinnaiah Vs. State of A.P.*** with regard to the categorization of castes, there is no *lis* to be adjudicated in this writ petition. The principle laid down in E.V.Chinnaiah's case squarely applies to this case in all its force.

Recording the submission made by the learned counsel for the petitioner, the writ petition is dismissed. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

4th July, 2005

bcj

To

1 The Registrar, Sri Krishnadevaraya University,
S.V. Puram, Ananthapur.
2 The Principal Secretary to the Government, The Government of A.P., Higher Education, Secretariat, Hyderabad.

3 Two C.Cs. to the Government Pleader for Higher Education, High Court Buildings, Hyderabad (OUT)

4 Two C.D. copies